

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub

Serial No: 09/731,412

Art Unit: 1617

Filed: December 6, 2000

Examiner: E.J. Webman

For: *MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS
FOR USE IN DRUG DELIVERY*Commissioner of Patents and Trademarks
Washington, D.C. 20231REQUEST FOR ORAL HEARING

Sir:

Pursuant to 37 C.F.R. § 1.194, Appellants respectfully request an oral hearing in the Appeal to the Board of Appeals from the Office Action mailed May 28, 2002, finally rejecting claims 20-24 and 27-32, and the Examiner's Answer mailed December 24, 2002, in the above-identified application.

04/03/2003 MAUSTIN 00000002 501868 09731412

01 FC:1403

280.00 CH

Also enclosed is an authorization to charge Deposit Order Account No. 50-1868 in the amount of \$140.00, the fee for filing a Request for Oral Hearing before the Board of Patent Appeals and Interferences, by a small entity as specified in 37 C.F.R. § 1.17(d). It is believed that no other fee is required. However, should a fee be required, the Commissioner is hereby

U.S.S.N.: 09/731,412
Filed: December 6, 2000
REQUEST FOR ORAL HEARING

authorized to charge any additional fee, or credit any overpayment in connection with this matter, to Deposit Order Account No. 50-1868. To facilitate this process, a duplicate of this Request for Oral Hearing is enclosed.

Respectfully submitted,

Rivka D. Monheit

Rivka D. Monheit
Reg. No. 48,731

Date: February 19, 2003

HOLLAND & KNIGHT LLP
Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3400
(404) 817-8473 (Telephone)
(404) 873-8588 (Fax)

ATL1 #565033 v1

ACU 105 DIV (2)
077586/00007

DUPLICATE**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Howard Bernstein, Donald Chickering, Sarwat Khattak and Julie Straub

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FEB. 19. 2003

5:38PM

HOLLAND & KNIGHT

NO. 4219 P. 14

U.S.S.N.: 09731,412

Filed: December 6, 2000

REQUEST FOR ORAL HEARING

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ATL1 #565083 v1

ACU 105 DIV (2)
077586/00007

DUPLICATE

PTO/SB/17 (01-03)

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003: Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 140.00)

Complete if Known

Application Number	09/731,412
Filing Date	December 6, 2000
First Named Inventor	Howard Bernstein
Examiner Name	E.J. Webman
Art Unit	1617
Attorney Docket No.	ACU 105 DIV (2)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-1868

Deposit Account Name: Holland & Knight LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 15 20

Independent Claims: 1 3

Multiple Dependent:

Extra Claims:

Fee from below:

Fee Paid:

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	Reissue independent claims over original patent
1205 18	2205 9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$.00)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,620	2812 1,310	For filing a request for ex parte reexamination	
1804 920	2804 460	Requesting publication of SIR prior to Examiner action	
1805 1,840	2805 920	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	140.00
1451 1,510	2451 755	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	2460 65	Petitions to the Commissioner	
1807 50	2807 25	Processing fee under 37 CFR 1.17(g)	
1808 180	2808 90	Submission of Information Disclosure Stmt	
8021 40	2821 20	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection, (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	2802 450	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 140.00)

SUBMITTED BY

Name (Print/Type)	Rivka D. Monheit	Registration No. (Attorney/Agent)	48,731	Telephone (404) 817-8514
Signature	<i>Rivka D. Monheit</i>	Date	February 19, 2003	

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HOLLAND & KNIGHT LLP

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CITY	STATE	(TELEPHONE NUMBER)

FROM: Pam Turnbough for

Rivka D. Monheit	404-817-8514	14
NAME	TELEPHONE	TOTAL PAGES (Including Cover Sheet)

FOR THE RECORD:

DATE: Feb. 19, 2003 URGENCY: ☐ SUPER RUSH ☒ RUSH ☐ REGULAR

FAXED BY: FILE #: 077586/00007 CLIENT NAME: ACU 105 DIV (2)

CONFIRMED: ☐ YES ☐ NO

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: MATRICES FORMED OF POLYMER AND HYDROPHOBIC COMPOUNDS FOR USE IN DRUG DELIVERY

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/731,412	
	Filing Date	December 6, 2000	
	First Named Inventor	Howard Bernstein	
	Art Unit	1617	
	Examiner Name	E.J. Webman	
Total Number of Pages in This Submission	13	Attorney Docket Number	ACU 105 DIV (2)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Oral Hearing
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Rivka D. Monheit, Reg. No. 48,731 Holland & Knight LLP Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E., Atlanta, GA 30309-3400
Signature	<i>Rivka D. Monheit</i>
Date	February 19, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: February 19, 2003	
Typed or printed	Pam Turnbough
Signature	<i>Pam Turnbough</i>
Date	February 19, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which may be to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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